

REMARKS

Claims 1-7 are currently pending. Claim 7 has been amended to further recite "non-hygroscopic."

The examiner has rejected claims 1-7 as being based upon a defective reissue declaration. A supplemental reissue declaration setting forth (1) an error in claims 1, 6 and 7 requiring correction and (2) a statement that all errors arose without deceptive intent, will be filed promptly following the filing of this response.


Claims 1-7 have been rejected because, according to the examiner, deleted terminology in the amended claims must be in brackets and added subject matter must be underlined. The amended claims now contain all of the deletions and additions that have been made vis-à-vis the originally issued claims.

Claim 7 has been rejected as anticipated by or, in the alternative, obvious over US 4,474,768 to Bright. Claim 7, as currently amended, recites a non-hygroscopic ethanolate of azithromycin, which, for the reasons of record, is not described or suggested by Bright.

Entry of the foregoing amendments is respectfully requested. Applicants submit that the pending claims are in condition for allowance. The Examiner is invited to contact the undersigned at 202-220-4200 to discuss any matter regarding this application.

Respectfully submitted,

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